

**PLANNING BOARD MEETING MINUTES  
TUESDAY, DECEMBER 19, 2006**

**MEMBERS PRESENT:** Jay Cruz, Chair  
Paula Caron, Vice-Chair  
John DiPasquale  
Paul Fontaine, Jr.  
Mike Hurley  
Nancy Maynard

**MEMBERS ABSENT:** Yvette Cooks

**PLANNING OFFICE:** David Streb, Mike O'Hara

**Call to Order**

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

**MISCELLANEOUS ITEMS**

- Mr. Cruz told the Board that Yvette Cooks informed him that she will be submitting her resignation from the Board.

- Additional "infill lot" guidelines

Planning Board members discussed the proposed guidelines presented in their packets.

The Board decided to refer the draft of the guidelines, with some alterations, to the staff to be incorporated into the Board's Special Permit Rules & Regulations. The Board wants to add elevations or renderings to the info submitted. A final draft of the revised Rules & Regulations will be reviewed at the next meeting.

- Fitchburg Airport

Fred Guertin, Airport Director, introduced Armand Dufresne of Gale Associates to present to the Planning Board information about airspace regulation.

They must meet FAA regulations, but FAA pays 95% of cost of improvements. They hope to modify Runway 14-32 by lengthening it and changing its alignment slightly. Fitchburg has poor minimums currently: ceiling of 1,100' plus 1¼ mile visibility. They would like to get the minimums down to 250' and ¾ mile. Runway 2-20 will be difficult to bring up to standard. They will be installing REILS (Runway End Illumination Lights). Airport wanted the Board to be aware of runway approach zones when planning and reviewing new development.

**Communications**

Fairway Homes - proposed revision of detention basin #1 near Arn How Farm Road. JCJ/Fairway Homes submitted request 12-15 to make the detention basin smaller. The Board decided that the applicant should be contacted to pay a review fee of \$1,900 for an outside engineering review of the request.

The Board asked staff to send a letter requesting the Mayor fill the Board's vacant positions (one full member and two associate members) and that the vacancies be advertised.

**Meeting Minutes**

Motion made & seconded to approve minutes of November 21<sup>st</sup> meeting as corrected by Ms. Caron.

Vote unanimous to approve.

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**ANR plans**

The Board reviewed and endorsed the following "ANR" plans:

**Herr, Albee St.**

Plan showed a re-subdivision -- a 5,000 sq. ft. parcel to be transferred from 128 Albee Street to 93 Canton Street. The board recognized there was a technical deficiency in the plan due to the square footage remaining of one of the parcels not being shown, so they denied it.

**Edgewater Development, Farmer Ave. extension**

First plan showed a 2,987 sq. ft. Parcel A to be transferred to adjoining property on west side of recently extended Farmer Ave.

Second plan showed a split of the combined Parcel A and the adjoining property owned by Edgewater Construction into three building lots.

**MINOR SITE PLAN REVIEW**

No response from applicant for Minor Site Plan for proposed restaurant at 208 Lunenburg St.

The Board voted to Deny the site plan since the applicant never came back to the Board with an engineered plan. The applicant is free to re-apply, does not have to wait two years.

**PUBLIC HEARINGS****Special Permit - Edgewater Construction, Simonds & Nutting Street, infill lot (continued from 9-26-06)**

*Voting members present: Cruz, DiPasquale, Fontaine, Hurley, Maynard*

*Action: Approved 5-0*

Atty. Watts presented. Since the proposed infill lot zoning amendment was withdrawn, two infill lots are back before the Board. A third application for an infill lot on Nutting Street has been withdrawn. Mr. Watts is proposing a common driveway to show the ten foot right-of-way that exists for the benefit of the adjacent lot at 5 Nutting St. The 10-foot wide right-of-way would be expanded.

**Public comment**

Robert Everback owns the house to the rear, 5 Nutting St. The infill lot is losing 700 sq. ft. due to the easement for a driveway, so how can this person build? And the lot is a postage stamp. There won't be room to park in the winter.

Mr. Fontaine said that he understands his point, but that the area of the driveway still counts toward the area of the lots.

John Luongo, 87 Simonds St. - is opposed to the project because they aren't putting in a garage.

A flooding problem on Nutting Street was mentioned.

Annie DiMartino, Simonds St. is in favor for two reasons. There was a house on the lot before. A single-family house will add to the neighborhood. There are signs of rebirth in the area. Parking is a big issue for everyone.

Mr. Fontaine recommended a condition that no unregistered motor vehicles be left on the lot.

John Longo - the size proposed for this lot is inappropriate and snow removal will be a problem.

It was pointed out that Ms. Caron is not eligible to vote. A Special Permit will require five votes in favor.

Hearing closed.

Motion made & seconded to Grant Special Permit with conditions:

- Existing right-of-way to 5 Nutting St. to be kept open.
- Provide parking to the rear of proposed dwelling.
- Make an effort to create a common driveway easement for this lot & 5 Nutting St.
- No parking of unregistered vehicles.
- Dwelling similar to photo submitted.
- Loam & seed all around.

Vote: 5-0 to approve.

**Special Permit - Edgewater Construction, High Street, infill lot (continued from 9-26-06)**

*Voting members present: Cruz, DiPasquale, Fontaine, Hurley, Maynard (5)*

*Action: Approved.*

Atty. Watts presented. House will have a 28' x 32' footprint, with a walk-in basement.

Public comment: none

Motion made & seconded to Grant Special Permit with conditions:

- Repair sidewalk along front edge and preserve tree.
- Applicant will provide a grading plan that shows the final proposed grade.
- Fence along the northern property line.
- Off-street parking for two cars
- Portico with a bump out porch-covered entry. It may cut into the 15 foot front setback.
- Grading, loaming & seeding yards.

Vote: 5-0 to grant Special Permit. (Ms. Caron abstained)

Special Permit - Omnipoint, 85 Kelley Ave., rooftop wireless communications facility

*Voting members present: Caron Cruz, DiPasquale, Fontaine, Hurley, Maynard*

*Action: Approved.*

Atty. Kate Rugman presented. Omnipoint is T-Mobile.

Desiral Hagger, RF Engineer presented coverage maps with & without this location.

Lena Reyes-Flores, 51 Kelley Ave., lives in the house next to the building. Wants to know whether she'll get interference, and about noise and pollution during construction. Atty. Rugman replied that the FCC is very strict about antennas. They're also in hospitals.

Mr. Cruz wants to see a maintenance report every year saying that it's a sound installation, three-year term.

Motion made & seconded to Grant Special Permit with conditions:

- Annual certification submitted to Bldg Dept. about structural integrity
- Three-year review.

Vote 5-0 to Grant Special Permit.

Modification of Definitive Subdivision - Parker Hill Estates, Matson Homes

Mr. DiPasquale recused himself.

*Voting members present: Caron, Cruz, Fontaine, Hurley, Maynard (5)*

*Action: Hearing continued to 2-20-07.*

Wes Flis, Whitman & Bingham presented. Originally 42 lots. Plan revised due to Conservation Commission concerns. One larger detention basin rather than several smaller ones. The latest proposal was compared to the approved plan. Still 41 lots. Some of the lots will still have water pressure problems. Will need the same three waivers from the subdivision regulations.

Public comment:

Theresa Santangelo, 1043 Westminster Hill Rd. - How far away will the new house be from her house?

Answer: 50-60 feet from property line.

Will they leave a buffer of trees? Answer: Typically developers will.

Water pressure is a problem for the area.

Mr. Streb mentioned that the over-55 development further up Westminster Hill Road will be applying for a modification to the Special Permit to eliminate the requirement for a water tower.

Nancy Desgroseilliers, 1087 Westminster Hill Rd. - how far will the road be from her property? Answer: The sidewalk will abut her property.

Public hearing was continued to Tuesday, February 20, 2007.

**OTHER BUSINESS**Request for extension of Special Permit 26 Willow St. – Aho

Atty. Watts presented. New roof, asbestos, some interior work. The Aho's will be back on site in mid-spring. Asking for a two-year extension to complete the project. Mr. Fontaine suggested status report after one year – September 2007.

Motion made & seconded to Grant two-year extension of the Special Permit with that condition.

Vote unanimous to approve.

Lot releases - Edgewater Construction, Bruce & Willard Streets

Atty. Watts and Elijah Ketola of Edgewater Construction seeking release of lots 6, 7A & 8A. All utilities are in and accepted by the town. Only remaining work is to put top coat pavement on Willard Street and lawn and seed. Also, water and gas need to be adjusted. Edgewater's engineer (Ken Kalinowski of Marsden Engineering) estimated value of remaining work at \$17,500. Five other houses in the development are under agreement at \$195K, and the upper homes are \$225,000.

Gary Bevilacqua's estimates were \$80,000 which includes \$30,000 for as-builts.

Board approved release of three lots for \$81,000 bond, or a lesser amount if agreed by Engineering.

Quarry Lane bond release

Bob Donell said that the detention pond is clogged and they're going to repair it. They're going to pump it down this week and repair it. He was informed that if the repair does not work, the Board will require a 3<sup>rd</sup> party engineering review of the detention pond for a permanent fix, to be paid for by Mr. Donell. Fire Dept. also wants hydrant to be relocated closer to intersection. Donell seeking reduction in the performance guarantee. Board voted to reduce bond amount to \$93,000 as recommended in bond estimate by Gary Bevilacqua, DPW.

Meeting adjourned: 9:55 p.m.

*Next meeting: January 16, 2007*

*Approved: 1-23-07*